

## **SENATE BILL SUMMARY**

Prepared by the Division of Legislative Information for the Senate Bill **AS ORIGINALLY FILED**. For more detail, see Senate Bill Analyses, if available, prepared by the Senate's professional committee staff.

### SB 230 Discrimination Based on Disability by Senator Joyner

Substitutes the term "disability" for "handicap."

Provides that the Florida Commission on Human Relations shall administer the Florida Civil Rights Act. Provides that the commission may use any method of discovery authorized by the Florida Rules of Civil Procedure.

Provides that an unlawful employment practice with respect to compensation occurs if a discriminatory compensation decision or other practice is adopted, if an individual becomes subject to a discriminatory compensation decision or other practice, or if an individual is affected by the application of a discriminatory compensation decision or other practice, including each time that wages, benefits, or other compensation are paid as a result of such a decision or other practice.

Provides an unlawful employment practice is established if the complaining party demonstrates that race, color, religion, sex, national origin, age, disability, or marital status is a motivating factor for any unlawful employment practice, including any adverse personnel action even though other factors may have also contributed to or motivated the practice.

Extends the protections of unlawful employment practices to women who are pregnant or who have any medical condition related to pregnancy or childbirth.

Provides that in lieu of filing a complaint with the commission, a complaint may be filed with the federal Equal Employment Opportunity Commission or with any unit of government of the state which is a fair-employment-practice agency under 29 C.F.R. ss. 1601.70-1601.80.

Authorizes the commission to recover expenditures for any state-funded products or services provided to any person seeking administrative or judicial relief and who possesses the present ability to pay. Allows the commission to charge fees for products or services provided in the performance of its duties. Provides that mediation, arbitration, and conciliation services must be available and accessible by all parties to any discrimination complaint filed with the commission regardless of financial status.

Provides for a direct-support organization to provide assistance, funding, and support to the commission. (See bill for details)